

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ROLAND C. ANDERSON,)
)
Plaintiff)
)
v.) Civil Action No. 05-877-JJF
)
GENERAL MOTORS CORPORATION,)
)
Defendant.)

ANSWER

Defendant General Motors Corporation ("GM"), for its answer to Plaintiff's Complaint avers, denies and states as follows:

1. Answering Paragraph 1 of the Complaint, GM admits plaintiff seeks to assert race discrimination claims under Title VII of the Civil Rights Act of 1964 but denies its actions violated the enumerated statute.

2. Answering Paragraph 2 of the Complaint, GM admits the allegations contained therein upon information and belief.

3. Answering Paragraph 3 of the Complaint, GM admits the allegations contained therein.

4. Answering Paragraph 4 of the Complaint, GM denies the allegations contained therein.

5. Answering Paragraph 5 of the Complaint, GM denies the allegations contained therein.

6. Answering Paragraph 6 of the Complaint, GM admits plaintiff filed a Charge of Discrimination with the EEOC but denies its actions violated Title VII and denies the remaining allegation contained therein.

7. Answering Paragraph 7 of the Complaint, GM states that the document speaks for its and does not require a response from GM.

8. Answering Paragraph 8 of the Complaint, GM denies the allegations contained therein.

9. Answering Paragraph 9 of the Complaint, GM denies the allegations contained therein

10. Answering Paragraph 10 of the Complaint, GM denies the allegations contained therein

11. Answering Paragraph 11 of the Complaint, GM denies plaintiff is entitled to any of the requested relief.

12. Answering the allegations contained in Exhibit A, GM denies the allegations contained therein.

WHEREFORE, having fully answered plaintiff's Complaint, GM prays for judgment in its favor and against plaintiff and for reasonable attorneys' fees and costs incurred in connection with the defense of this litigation, and for any other relief the Court deems just and proper.

AFFIRMATIVE AND OTHER DEFENSES

1. Further answering plaintiff's Complaint, GM denies each and every allegation contained therein which has not been specifically admitted herein.

2. Further answering plaintiff's Complaint, GM states that plaintiff's Complaint fails to state a claim on which relief can be granted.

3. Further answering plaintiff's Complaint, GM states that plaintiff's alleged right to recovery is barred in whole or in part by his failure to mitigate any alleged damages.

4. Further answering plaintiff's Complaint, GM states that any actions with regard to plaintiff were at all times taken in good faith and for legitimate business reasons and not for any discriminatory or illegal purpose, and that the same actions would have been taken based on legitimate, nondiscriminatory grounds regardless of any protected status.

5. Further answering plaintiff's Complaint, GM states that plaintiff's Complaint is barred or limited, in whole or in part, by the applicable statutes of limitations.

6. Further answering plaintiff's Complaint, GM states that some or all of plaintiff's claims are barred to the extent that a timely Charge of Discrimination was not filed with respect to all of the claims alleged in the Complaint and plaintiff has not exhausted the requisite administrative procedures with respect to all of the claims set forth in plaintiff's Complaint.

7. Further answering plaintiff's Complaint, GM specifically denies the existence of any causal connection of plaintiff's alleged damages to the conduct alleged by plaintiff.

8. Further answering plaintiff's Complaint, GM states that it presently has insufficient knowledge of additional, as yet unstated, affirmative defenses available. GM reserves the right to assert additional affirmative defenses in the event discovery indicates they would be appropriate.

WHEREFORE, having fully answered plaintiff's Complaint, defendant General Motors Corporation prays for judgment in its favor and against plaintiff and for reasonable attorney's fees and costs incurred in connection with the defense of this litigation, and for any other relief the Court deems just and proper.

Respectfully submitted,

YOUNG CONAWAY STARGATT & TAYLOR, LLP

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